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Twenty-second Annual Report  
OF THE  
North Dakota Government  
Agricultural Experiment Station

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AGRICULTURAL COLLEGE  
FARGO, NORTH DAKOTA

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To the Governor of North Dakota

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PART II  
REPORT OF FOOD COMMISSIONER  
1911

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## LETTER OF TRANSMITTAL

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Agricultural College, N. D.

January 30th, 1912.

Honorable John Burke, Governor:

Sir: As required by the act of Congress approved March 2nd 1887, and Chapter 195 of the Session Laws of 1907, I hereby submit Part II of the Twenty-second Annual Report of the North Dakota Government Agricultural Experiment Station, the same embodying the results of examinations of foods, drugs, paints, paint products, feeding stuffs, formaldehyde, beverages and work under the Sanitary Inspection Law for the year 1911.

E. F. LADD,

Food Commissioners and

State Chemist.



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# REPORT

To J. H. Worst, Director.

Sir:—I herewith submit my Ninth Annual Report as Food Commissioner and Chemist for North Dakota covering the calendar year of 1911 up to December 1st, and recommend that the same be published as Part II of the Twenty-second Annual Report of the North Dakota Government Agricultural Experiment Station.

During the past year a large amount of work has been done in connection with the enforcement of the several laws, which are made the duty of this Department to enforce. Some of the essential features under each of the several laws will be discussed under appropriate heads, and all lines of routine work will be tabulated as a part of the report, also the reports of several of the divisions of Chemistry doing work under the direction of this Department.

The policy adopted in the past of personal work with the manufacturers and jobbers doing business in the state and enlisting the support of the retail merchants, has been continued with marked success during the past year. As a rule, the majority of violations under the Food Law have not come through intentional violation on the part of the retailer, but rather through misrepresentation and misbranding on the part of the manufacturer or jobber doing business in the state. This is especially true with regard to some of the specialties which are handled by firms who are either not familiar with the Law, or who are willing to take the chances of disposing of their products without any guarantee for the dealers protection. A large amount of educational work has also been carried on with the people of the state through bulletins published each month for the past two years, also, thru addresses before various organizations, as well as articles especially prepared for the press. Publicity has been the strong point which has been emphasized since the North Dakota Food Law went in force. Publicity is dreaded more on the part of the manufacturer than any mere fine that may be occasionally inflicted against a local dealer.

In addition to the routine work in connection with the examination of various food products, specific investigations have been undertaken with several products and the data secured will be made a part of special reports and bulletins to be issued from time to time. Among the products which have been given special attention are vinegars with regard to the truthful labeling of the same, especially certain vinegars now being sold as Cider Vinegar, which appear to be misbranded as the true origin of the same. The question of sugar vinegar and its relation to cider vinegar, and the substitution of sugar vinegar for cider vinegar by dealers, is one that will

need further investigation. A careful study has been made of all brands of catsup found on sale in the state, and, at the present time, bacteriological as well as chemical examinations are being made of this class of products with a view to ascertaining the character of the products which has been employed in the preparation of the various grades of catsup. Jellies, jams and preserves are likewise being investigated to determine the relative proportion of the several constituents and the actual amount of food material contained in the same, especially those marked as "compound," or "imitation" jellies, jams, preserves, etc. Some of these, it seems to the writer, contain very little of food value, at least in so far as the proportion of fruit contained in this class of products is concerned. Canned tomatoes have come in for a share of work, and a large number of examinations have been made with regard to the actual amount of dry matter and water content in the various grades, the result of which have been published in part in various bulletins during the past year. At the present time the various lines of mince meats are under examination with a view to determining their composition and, as far as possible, the amount of meat used in the preparation of the same. This Department does not recognize an article as mince meat which does not contain lean meat fibre, which is the case of several of the brands now on the market. The standard dictionary defines mince meat as "a mixture of chopped meat, apples and suet, with dried fruit, spices, etc., used as the filling of mince pies." The standard which has been recognized by this Department is that laid down under the Food Standards of the Association of State and National Food and Dairy Departments, and previously adopted by the Association of Official Agricultural Chemists and is as follows:

"Mince, mince meat, is a mixture of not less than ten per cent of cooked, comminuted meat with chopped suet, apples and other fruit, salt and spices and with sugar, syrup or molasses, with or without vinegar fresh, concentrated fruit juices, or spirituous liquors."

The addition of starch dextrine or glucose to mince meat are not recognized as constituents of the same, and the presence of these products and the per cent thereof should be declared upon the label, as is now done in the case of compound or imitation jellies and jams.

Rice is another product which has been under examination. The Department has ruled against the sale of rice which is polished and coated with talcum and paraffine or glucose. At the present time a careful examination is being made of the composition and properties of bread as found upon the market, also the determination of the acidity, the character of the products used in the preparation of the bread, and above all to determine to what extent, if possible, the bankers have been influenced in the manufacture of bread to look to quantity rather than quality of bread produced. It seems to the writer the majority of the bankers who are catering to the public and expect the public to purchase their bread, have as their standard quantity rather than quality. They have looked to see how many loaves of bread could be produced from a barrel of flour, and in order to get the maximum loaves they have often sacrificed quality.

The baker who desires to compete with home-made bread must consider, first, quality and let quantity take second place. When the bakers supply

a product like that produced in the home then the consuming public will be more ready to purchase the commercial product. Foreign bakers have recognized this fact more fully than those of our own state, and are now shipping into the state bread of a quality to please many of the customers previously dissatisfied. True, there are two types of bread required by the several classes of people; one, sweet and nutty in flavor; and the other class seems to seek the bread with the larger proportion of acidity; but the general tendency is towards a sweet and nutty flavored bread, and the bakers would do well to keep this fact in mind.

At the last session of the Legislature there was enacted a new Net Weight and Measure Law, the essential features of which are as follows:

**SECTION I. Food Solid by Weight, Measure or Count.** Every article of food or beverage as defined in the statutes of this state should be sold by weight, measure or numerical count and as now generally recognized by trade custom, and shall be labeled in accordance with the provisions of the food and beverage laws of this state. Only those products shall be sold by numerical count which cannot well be sold by weight or measure. All weights shall be net, excluding the wrapper or container, and shall be stated in terms of pounds, ounces and grains avoirdupois weight, and all measure shall be in terms of gallons of two hundred and thirty-one (231) cubic inches or fractions thereof, as quarts, pints and ounces. Reasonable variations shall be permitted and tolerations therefor shall be established and promulgated by the food commissioner.

The foregoing law is general in character and applies specifically to all classes of products not provided for in some special Act; and the sale of products in the state without proper labeling as to weight or measure or numerical count, where count is permissible, is in direct violation of the Statute. It is held, under the provisions of this Act, that it is unlawful to sell berries, as has been done in the past, in containers spoken of or furnished to the consumer as one quart or one pint when in reality they held but a fractional part of this amount. It is further held that each and every milk container or bottle which is short in weight or measure, that is, which is less than one full quart or one full pint, is in direct violation of the laws of the state and parties handling the same are liable to prosecution under the provisions of this Statute.

### LARD LAW

For more than twenty years the public has been short-weighted on lard, and this is the case with the great majority of food products. You step to the 'phone in the morning under our present system, and say to your grocer, "Send me 5 pounds of —— Lard." What do you get? 4 pounds and 2 ounces—short-weighted 14 ounces. True, they say the price is less than would be for the full five pounds, but certainly you have been short-weighted 14 ounces on what you asked for. The question may well be asked as to whether or not the price is in proportion to the discrepancy. If every man, woman and child in the United States were annually to use one five-pound pail of lard, then in a single year we would have been short-

weighted approximately 78,750,000 pounds, and this at 15 cents per pound would mean \$11,812,512. True, they say that this goes to pay for the pail, but does each pail cost more than 13 cents? It is not a question of cost so much as it is of paying lard prices for tin or wood, or other material used for containers. It is the fact that you call for five pounds and receive less than you asked for. The people are demanding that they receive full measure, and at the last session of the Legislature there was enacted the following:

SECTION 2. (Weight of Lard.) Every lot of lard or of lard compound or of lard substitute unless sold in bulk, shall be put up in pails or other containers holding one (1), three (3), or five (5) pounds net weight or some whole multiple of these numbers, and not any fractions thereof. If the container be found deficient in weight additional lard, compound, or substitute, shall be furnished to the purchaser to make up the legal weight. The face label shall show the true name and grade of the product, the true net weight together with the true name and address of the producer or jobber. If other than leaf lard is used then the label shall show the kind, as "Back Lard," or "Intestinal Lard." Every lard substitute or lard compound shall also show in a manner to be prescribed by the food commissioner, the ingredients of which it is composed, and each and every article shall be in conformity with, and further labeled in accordance with the requirements under the food laws of this state.

This law went in force July 1st, and when an attempt was made to enforce it the packers refused to comply with its provisions, maintaining that such an Act was unconstitutional. Nevertheless, there are similar laws covering food products which are in force at the present time in several of the States. It became necessary for this Department to enter complaint against Armour & Company under this Statute and institute a test case in the Courts. As yet, this case has not come up for a hearing, but it is believed that in the end the public will get what they have demanded and what they are willing to pay for.

### NORTH DAKOTA BREAD LAW

Another new law enacted at the last session of the Legislature, and which went in force July 1st, was the North Dakota Bread Law. This is as follows:

SECTION 3. (Weight of Bread.) A loaf of bread for sale shall be two pounds in weight. Bread, unless composed in chief parts of rye and maize, shall be sold only in whole, half and quarter loaves and not otherwise. Bread, when sold, shall, upon the request of the buyer, be weighed in his presence and if found deficient in weight additional bread shall be delivered to make up the legal weight, except that this section shall not apply to rolls or to fancy bread weighing less than one-quarter of a pound. Provided, every loaf, half loaf, quarter loaf or other loaf of bread which does not weigh the full legal weight required by this section when plainly labeled with the exact weight thereof, shall not be deemed in violation of the provisions of this act.

SECTION 4. (Penalty For so Doing.) Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and for the first offense shall be punished by a fine of not less than five dollars



(\$5.00) nor more than one hundred dollars (\$100.00) and the necessary costs, and for the second and each subsequent offense he shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00), or ninety (90) days in ail or both at the discretion of the court.

Probably there is no product which has varied so much in weight as that of bread as sold in this state in the past. Some of the loaves which have been examined have weighed approximately 10 ounces, others 13 ounces and still others 16 ounces or a full pound. The average family would use not less than three loaves of bread per day. Let us see how our accounts would stand at the close of the year for 10 ounces, 13 ounce and full 16 ounce loaves, when calculated on the basis of what we should have received for our money.

Loaves	Weight Ozs.	Cost Cents	Cost
1095	16	6	\$ 65.70
1095	13	7 5-13	80.86
1095	10	9 3-5	105.12

As the result of short weight the family receiving 13 ounce loaves has paid \$15.16 more than they should have paid for one years supply of bread. The family getting but 10 ounce loaves has lost thereby \$39.42; quite an item in our budget. The baker has said, "Let me regulate the size of the loaf and keep the price at 5 cents per loaf." But bread has been retailed at from 5 to 8 cents per loaf, and the size of the loaf has varied from 10 to the full 16 ounces. Then why not fix the size of the loaf so that both the producer and buyer shall be on the same basis in the transaction. With the weight of the loaf fixed there is but one variable—the price of the loaf. The buyer can then judge for himself whether or not he is getting his money's worth, but when both the price and the loaf are variables the dealer has the advantage. At the present time most loaves of bread are either full weight 16 ounces, as required under the Law, or, where they vary from this, stickers are added to show the actual net weight.

### LEGAL WEIGHTS

Since all food products must be sold by weight or measure or numerical count, in accordance with the established custom for the sale of the particular product, information has been demanded as to what constitutes legal weight in North Dakota for the various classes of products. I, therefore, give the legal weights, as established by Statute, and as given in the Revised Codes of North Dakota for 1905, Section 2188, for pounds Avordupois:

	Pounds
Barley .....	48
Beans .....	60
Bran .....	20
Buckwheat .....	42

	Pounds
Beets .....	60
Broom corn seed .....	30
Corn, shelled .....	56
Corn, in the ear .....	70
Clover seed .....	60
Coal, stone .....	80
Flaxseed .....	56
Oats .....	32
Lime .....	80
Onions .....	52
Potatoes, Irish .....	60
Potatoes, sweet .....	46
Peas .....	60
Rye .....	56
Salt .....	80
Turnips .....	60
Timothy seed .....	45
Wheat .....	60
Speltz .....	40
Millet .....	50
Apples .....	50
Bromus Inermis .....	14

Net weight is required on every class of food products, including canned products, package goods, etc. Some have attempted to comply with the requirements of the law and have given the actual net weights as far as possible; a few have stated the gross weights; but not a few have stated ranges which, in some cases, have been reasonable, while others have been so wide as to be ridiculous. For example, a package of crackers was labeled "8 to 13 ounces net," when in reality the actual weight was  $7\frac{1}{2}$  ounces. A range of 8 to 9 ounces might have been reasonable for this class of goods, but it is little less than ridiculous to place a weight of "8 to 13 ounces" on this class of packages. Canned goods have also been labeled for weight, as for example, "30 to 34 ozs.," which is far too wide and is not permissible under the Laws of North Dakota.

Reasonable variations will be permitted and are provided for under the terms of the Statute, but such wide variations cannot be considered in any way as reasonable compliance with the spirit of the law. In products like canned goods, the grade is just as essential as the net weight, which usually includes both the product named and any liquid that may be contained in the same or added thereto. The question of grade has been discussed under the appropriate heads, but we may call attention to the fact that with the enforcement of the Net Weight Clause on canned goods it is the intention of the Department to do away with slack-filled cans, as indicated by gross weights reported upon in bulletins No. 69, before the Law was in force, as compared with products examined after the Law had been in force for several years. For a few products the results were as follows:

**GROSS WEIGHTS**

	Peas	Corn	Tomatoes
	grams	grams	grams
1902 .....	594	588	937
1906 .....	695	685	1092

Those, therefore, who have maintained that there is no advantage gained by requiring net weights to be shown will find that the above statement disproves their claims. Farther than that, the grade of canned goods has improved with an increased amount of actual food material as compared with the water added, and this is particularly true with regard to canned tomatoes.

The American Grocer, discussing editorially the matter of weights, says:

“Short weight containers are the tools of the trickster, and they ought to be stamped with the exact weight or measure of their content.”

Simply because it is a matter of long standing is no reason why the fault should not be corrected, for it is a well recognized fact that the meanest man in the business sets the pace which all others must follow, or soon or later be snuffed out.

**MISLEADING AND DECEPTIVE ADVERTISING**

One of the worst features we have to contend with is the pernicious influence through false and misleading advertising. This covers all classes of products, not alone foods and beverages, but patent medicines and fake concerns of every kind. It is not uncommon for firms, through their advertising, even though the face label on their products is fairly free from false statements, to make claims which are not warranted in their circulars and more particularly in statements made in the press. They have so worded their advertisements so as to mislead, deceive and defraud the public, if their statements are accepted as true. It is to be hoped that we are soon to have a reform in methods of advertising. In publishing results of analyses of various products, it seems necessary to consider carefully the character of the advertising which is employed for promoting the sale of the particular food product, beverage or patent medicine. Unfortunately, there are newspapers willing to lend themselves to this kind of work even in their news and editorial columns. While this class, of manufacturers or “interests” are allowed to dictate the character and tone of the editorials, or paint and picture the news items to be placed before its readers, we cannot hope for a correct moulding of public sentiment through the press.

One has but to read the essential features as culled from patent medicine circulars to see how absurd are the claims made. Let us take one of the circulars which accompanies Munyon's Kidney Cure to illustrate this point. The circular states:

“I look upon pills in most cases as messengers of death. I believe that more people have been killed by pills than by bullets.”

Further on the circular says:

"My mission is to spread Hopeism and Truth. Hopeism was Christ's great doctrine. Hopeism is all there, is to life that is worth having. Take Hope from the people and you have chaos and decay. Charge a person with Hope and he will have very little use for medicine."

And so the reader, or, rather, the victim is gradually led up to the final climax, at the end of the circular, which says:

"Just for a quick test of all my assertions, step into the nearest drug store and get a bottle of Munyon's Paw Paw Pills. Take one to-night and you will bless me to-morrow."

Could anything be any more ridiculous, more contradictory, and yet thousands of people have been deceived and misled by advertising of this kind and made to part with the hard-earned dollars for a product which is often worthless and at best contain none of the properties which are ascribed to it.

Or, take this statement with regard to the qualities of Barley Flour:

"It is a recognized fact that Barley Flour contains more nutriment than any food or milk product on the market."

Again, they say:

"Barley Flour has been declared without hesitation or uncertainty to contain the largest percentage of strength giving and nourishing properties."

Now, no one would deny the value of a well prepared barley flour, but it is ridiculous to make such false and misleading statements, and in the end it is bound to react upon those who resort to this method.

Take a number of the diabetic foods to be used in ill health in cases where starches and sugars are poisons, thus directly shortening the life of the patient, and what shall be said of one who sells a gluten flour or diabetic food which is practically all starch and sugar, and which contains less true gluten than is found in the best grades of flour, and certainly less than that found in whole wheat flour. Such is the case with a number of this class of products, largely advertised and exploited before the public.

For example, Cresco Flour, just recently examined, was found to contain no more of protein or nitrogenous matter than is found in whole wheat flour, while analyses made by others show a percent as low as 11.00 per cent of protein, and practically all of the rest of the product is in the form of starch. What is needed is a revival of honesty in the preparation of advertising matter which shall accompany any product, or which is to be displayed either in circulars or newspapers. It is to be hoped that the press will realize the importance of this matter and more carefully scan the character of the advertisements which go into their pages.

### CATSUP

During the past year considerable attention has been given to the examination of catsups as found upon the market. A number have been condemned and their sale prohibited in the state. Some catsups were found to be made from waste refuse material. Take, for example, a catsup



like one recently submitted by the manufacturer himself, and which was found on examination microscopically to contain in 1 c. c. 392 million of bacteria, with 90 yeasts and spores in each 1-40 of a c. mm., and 85 percent of the fields examined filled with moulds. Such a product is produced from decomposed, filthy, vegetable matter, treated with spices, flavoring matter and extracts, and made to have the appearance of a good article, when, in reality, it is unfit for human food. Other samples examined have been far worse than the one mentioned above, but at the present time practically all of these are barred from sale in the state. As fast as these products are found they are ordered removed from the state.

Another fraud examined and reported upon during the year is

### ENZYME FLOUR

This product was reported upon in special bulletin No. 27. The claims made for it are as follows:

"When you add enzyme flour to wheat you are simply adding valuable salts contained in the husks which are of course removed from the wheat before milling and we again assure you that when you add one-half of percent enzyme to ordinary flour, it is entirely impossible to discover it. You can send a sample of flour to which you have added one-half of one percent enzyme to any chemist you like and he will tell you that the flour is entirely pure. This of course makes it of much greater value to the miller.

"Enzyme flour is guaranteed to contain nothing deleterious or in any way harmful, but notwithstanding this, we believe that Dr. Wiley would be inclined to object to its use, provided he knew of it. We do not know this of course, but we are inclined to think that this would be the case. For this reason we are acting very cautiously and the concerns who are now taking it from us have it consigned in such a way as to hide its identity.

"If you export flour it will be a practical necessity very shortly to add enzyme, as the largest European millers are now using it and improving the quality of their flour immensely."

The wording of the foregoing shows that there is no doubt in their mind as to whether the product is a legitimate one, or whether the same would be condemned if the food commissioners and national authorities knew of its presence. They hint at the fact that no chemist would be able to detect it in the flour. They also say that they are acting very cautiously and consigning it to firms in such a way as to hide its identity. Analysis shows enzyme flour to be a fraud, and its composition is as follows:

	Per cent
Moisture .....	5.93
Flour (starch) .....	37.52
Ammonia Acid Phosphate .....	56.34
Calcium .....	trace
Sodium .....	trace
	<hr/>
	99.79

This product is a fraud; when added to flour it produces fraudulent effects; it is used for the purpose of deception, to cover up and conceal inferiority.

### BRAN BREAD

There was published in Bulletin No. 27 a recipe for the preparation of bran bread, furnished by a friend who for years was a sufferer from constipation. He stated that with the use of bran bread, made by the formula given below, he was able to discard all medicines and found himself again in a normal condition:

5 tablespoons syrup,  
 ½ teaspoonful soda,  
 1 cup sweet milk,  
 1 cup flour,  
 2 cups bran,  
 1 teaspoonful salt,  
 Bake well in a moderate oven.

Those who have tried the above bread have spoken very favorably of its action. In general they find it very appetizing.

### COLD STORAGE

North Dakota has no Law regulating the storage of food products, but it is hoped that at the next session of the Legislature some action may be taken with regard to regulating the handling of cold storage products. New York has a satisfactory law; the city officials are given authority to inspect and supervise all cold storage plants, and make reasonable rules and regulations covering them. The Law requires all warehouse men to file a report in May and September of each year setting forth what products are in storage. It prohibits the storage of products after they have once been put upon the market for sale.

It seems to the writer that it would be well to attach to all products going into cold storage the date when entered and again the date when removed from cold storage; this information should accompany every portion of such food to the consumer.

In some of the Bills, which have been introduced both before Congress and in several of the states, there have been provisions limiting the time for different products to remain in cold storage. One of the Bills provided as follows:

“An article shall be in cold storage not to exceed:

“Beef .....	7 months
Veal, pork and sheep .....	4 months
Lambs, poultry, game, fish, eggs, butter, and manufactured products therefrom .....	3 months

Such a Law would be beneficial alike to the consuming public and to the farmer or producer of food products.

Under the New York Law referred to above products which are placed in cold storage for a period of time greater than thirty days are made to come within the terms of the Statute. The regulations are:

“For the purpose of enforcing this act the term “COLD STORAGE” will be held to mean the storage of foods for a period exceeding thirty days

at or below a temperature of forty degrees Fahrenheit, in establishments whether public or private, employing refrigerating machinery or ice."

All products are required to be labeled with the date on which they enter for cold storage, also the date when they are withdrawn, which information goes with the product to the consumer.

The New York Law is as follows:

Section 335. DEFINITIONS. The term food as used in this article shall include any article, except nuts, fruits, cheese and vegetables, used for food by man or animal and every ingredient of such article.

Section 336. COLD STORAGE FOOD TO BE MARKED. It shall hereafter be unlawful for any person or persons, corporation or corporations, engaged in the business of cold storage warehousemen or in the business of refrigerating, to receive any kind of food unless the said food is in an apparently pure and wholesome condition, and the food or the package containing the same is branded, stamped or marked, in some conspicuous place, with the day, month and year, when the same is received in storage or refrigeration.

It shall be unlawful for any person or persons, corporation or corporations, engaged in the business of cold storage warehousemen or in the business of refrigerating to permit any article of any kind whatsoever used for food in the possession of any person or persons, corporation or corporations, engaged in the business of cold storage warehousemen or refrigerating, to be taken from their possession without first having branded, stamped or marked on said food stuffs or the package containing the same, in a conspicuous place, the day, month and year, when said food stuffs or package was removed from cold storage or refrigeration.

Section 337. TIME THAT COLD STORAGE FOODS MAY BE KEPT. It shall hereafter be unlawful for any person, corporation or corporations, engaged in the business of cold storage warehousemen or refrigerating, to keep in storage for preservation or otherwise any kind of food or any article used for food a longer period than ten calendar months, excepting butter products which may be kept in said cold storage or refrigeration twelve calendar months.

Section 338. POWERS OF STATE COMMISSIONER OF HEALTH. The state commissioner of health is hereby vested with full power and authority to inspect and supervise all places in this state now used or hereafter to be used for cold storage or refrigerating purposes; the state commissioner of health or his duly authorized agents or employees shall be permitted access to such place or places and all parts thereof at all times for the purpose of seeing that said place or places are kept and maintained in a clean and sanitary manner, and for the purpose of determining whether or not the provisions of this article or any other act relating to food stuffs are being complied with. The power of supervision hereby granted shall extend to enable the state commissioner of health to adopt such reasonable rules and regulations as may be determined upon from time to time as essential to the proper protection of the consumer of the commodities kept and preserved in such place or places, and the state commissioner of health may appoint and designate from time to time such person or persons as he deems fit for the purpose of making such inspections.

Section 339. REPORTS OF WAREHOUSEMEN. All persons or corporations engaged in the business of cold storage warehousemen, or in the business of refrigerating, shall submit reports to the state department of health, upon printed forms to be provided by said state department of health, setting forth in itemized particulars the quantity of each and every food stuff in storage or in the control of said person or persons, corporation or corporations; said reports shall be filed on or before the

twenty-fifth day of January, May and September of each year, and reports so rendered shall show conditions existing upon the first day of the month in which said report is filed.

Section 339-a. TRANSFERS FROM ONE WAREHOUSE TO ANOTHER. The transfer of any food from one cold storage or refrigerating warehouse to another for the purpose of evading any provisions of this article is hereby prohibited.

Section 339-b. PROHIBITS RETURN OF FOOD TO COLD STORAGE WHEN ONCE RELEASED FOR PURPOSE OF PLACING SAME ON MARKET FOR SALE. When food has been in cold storage or refrigeration and is released therefrom for the purpose of placing the same on the market for sale it shall be a violation of the provisions of this article to again place such food in cold storage or refrigeration.

Section 339-c. PROHIBITS SALE OF FOOD KEPT IN COLD STORAGE WITHOUT REPRESENTING SAID FACT. It shall be a violation of the provisions of this article to sell any article or articles of food that have been kept in cold storage or refrigeration, without representing the same to have been so kept.

Section 339-d. PENALTIES. Any person or persons, corporation or corporations, or officers thereof, violating any of the provisions of this article shall be guilty of a misdemeanor. The conviction of any corporation shall not operate to relieve any officer or officers, agents or employees of such corporation from prosecution under the provisions of this article.

### MINCE MEAT

Examination of a number of mince meats found upon the market revealed a very wide difference in the composition of these products. Some were found to contain practically no meat, while others contained considerable proportions of finely comminuted meat, together with other products which usually enter into the composition of mince meat used in the preparation of mince pies. The standard for mince meat as made by the Association of State and National Food and Dairy Departments, which has been followed thus far in our work, is as follows:

“Mince meat is a mixture of not less than ten (10) per cent of cooked comminuted meat with chopped suet, apple and other fruit, salt and spices, with sugar, syrup or molasses and with or without vinegar, fresh, concentrated or fermented fruit juice or spirituous liquors.”

The Department has held that the addition of other fillers as glucose, starch paste, dextrine, etc., are not permissible except there be set forth on the label the fact that these ingredients are used in the preparation of the mince meat. The absence of meat is looked upon as a substitution of other products in the place of meat, and such products are classed as illegal.

As in preserves and jellies, where glucose, starch paste, etc., are employed, in order to clearly indicate the grade of the product, it has been maintained that there must be shown the per cent of the several ingredients used in the preparation, at least so far as necessary in order to enable the public to judge of the food value of the product. Flavor is not the only essential, nor flavor and palatability combined, but the nutritive value and the physiological effect upon the system from the use of such an article of food must be taken into consideration in judging of the value of the food,—a fact which has been too long overlooked.



## OFFICIAL NOTICES

During the year there have been sent out a number of official notices dealing with various phases of work which have come up for consideration; and where interpretations of the laws, or further explanation of warnings to the public were necessary, in order to bring the matter properly before their attention. Among the more important notices are the following:

### MANUFACTURERS OF CIDERS AND SOFT DRINKS MUST REGISTER THEIR PRODUCTS

The Department finds that there are many throughout the State who are manufacturing ciders, pops, sodas and other soft drinks without complying with the requirements of the Beverage Law. The Statute defines cider, artificial ades, beverages and soft drinks, and then further provides:

“Section 6. PENALTY FOR VIOLATION. Any person selling or offering for sale or having in his possession for sale or having stored for sale or distribution within the state any spirituous liquor or other beverage, as herein defined, without having first secured a license for the sale of the particular product mentioned, shall constitute a misdemeanor, and on conviction the person shall be fined not less than one thousand dollars or not less than six months in jail, or both at the discretion of the Court.”

“Section 7. LICENSE REQUIRED. Before any fermented, spiritous or malt liquors, wines, ciders, fruit-ades, imitation ciders, pops and beverages, as described in Section 3, to be used as beverage or medicine, is offered or exposed for sale in this state, the manufacturer importer, or person, causing the same to be sold, offered or exposed for sale, shall file with the North Dakota Government Agricultural Experiment Station at Fargo, during the month of December of each year, a certified copy setting forth the name of each and every brand, the class of the beverage bearing a distinctive name, brand or trademark, which manufacturer, importer or person has to sell, offer or expose for sale in this state during the calendar year next succeeding said application, and shall deposit with said Station a pint sample of said product labeled in the manner prescribed by this act.”

The Statute provides that the fee for each brand or class of cider, or for each brand or class of pops and sodas, etc., shall be \$10.00; and for the general class of artificial ades and other beverages the fee shall be \$50.00.

The Department holds that under the provisions of this Statute all pool-rooms, dealers in soft drinks, and others who are manufacturing their own cider and soft drinks come within the provisions of this Statute. The

inspectors are hereby instructed to see that the Law is enforced in order that the general public may be protected from the use of misbranded, adulterated and injurious products, and as provided for in the Statute.

(Signed) E. F. LADD,

Jan. 2, 1911.

Commissioner.

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Fargo, N. D., June 9th, 1911.

### **WARNING TO DEALERS IN DAIRY PRODUCTS INCLUDING ICE CREAM**

The Inspectors are making general complaint that proper attention is not given, on the part of many, to proper cleanliness in the handling of dairy products; that many of the cans and containers in which milk, cream and particularly ice cream is shipped, are not properly cleaned and sterilized; that cans having been used for milk and ice cream are returned without being properly washed and cared for, thus rendering the use of these receptacles dangerous to public health.

I quote from the Sanitary Inspection Law:

"Unclean, unhealthful and unsanitary conditions shall be deemed to exist if food in the process of manufacture, preparation packing, storing, sale, or transportation is not securely protected from flies, dust, dirt and as far as man be necessary by all reasonable means from all other foreign and injurious contamination; and if the refuse, dirt and the waste products subject to decomposition and fermentation incident to the manufacture, preparation, packing, storing, selling, distributing and transporting of food, are not removed daily; \* \* \* and if the clothing of operatives, employees, clerks, or other persons therein employed is unclean."

This Department holds, therefore, that the returning of cans not properly washed and cleaned is in direct violation of the Food and Sanitary Law. Parties failing to comply with the provisions of the Sanitary Law are liable to prosecution. Complaint will be lodged with the State's Attorney wherever manufacturers, dealers, transportation companies or consumers, return cans or containers not properly cleaned.

(Signed) E. F. LADD,  
Food Commissioners.

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### **BAD EGGS NOT LEGAL**

There has, during the past two years, been a great deal of complaint with regard to the character of eggs sold in North Dakota, especially at certain seasons of the year. This complaint has come from both the general merchants and consuming public. The condition has become so bad that it is not an uncommon practice in the large cities, where eggs are handled, to discriminate in price against the North Dakota eggs, quoting then at times ten per cent off or even more.

The sale of eggs which are tainted, stale and unfit as articles of food is unlawful in North Dakota, and this Department has taken action with regard to the further sale of this class of products.

Notices have been prepared and sent out to be posted up, warning against the sale of eggs unfit for food; and the inspectors have been instructed to take steps to enforce these provisions of the law.

No eggs should be purchased by merchants without candling or docking for checks and assorting the good eggs from the bad. The fault lies partly with the farmer or producer of the eggs, and partly the fault of the merchant or handler of the eggs, who takes no pains to keep eggs in proper shape after they come in his possession, or to ship them often enough to arrive as fresh eggs in the markets or at the point where they are to be stored.

Farmers must bear in mind that to command a good price from now on; eggs must be brought to the market fresh. This means that eggs must be gathered frequently and must be kept under favorable conditions, in a cool place, and taken often to the market.

The merchant in dealing in eggs must assort and keep the eggs in proper shape until the same are shipped to the terminal markets.

The following notice was sent generally to the trade in this State:

## **WARNING**

### **BAD EGGS**

The North Dakota Pure Food Law Forbids The Sale or Offering For Sale of Eggs Unfit for Human Food.

In defining what shall constitute adulteration and unwholesome food, the North Dakota Law Reads:

Section 2, Clause 8:—"If it consists wholly or in part of a diseased, decomposed, filthy or putrid animal or vegetable substance."

### **REGULATIONS REGARDING EGGS**

The offering for sale, or having in storage for sale, of stale, tainted or rotten eggs will be deemed as a violation of Section 2, Clause 8, of the Food Law.

All eggs shall be candled before being sold.

### **PENALTY FOR VIOLATION**

Any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and shall for each offense be punished by a fine of not less than \$25.00 nor more than \$100.00, and all necessary costs, including the expense of analyzing such adulterated articles, when said person has been found guilty under this Act. Products found to be adulterated within the meaning of this Act may, by order of the Court, be seized and ordered destroyed.

### **INSPECTORS OF THIS DEPARTMENT ARE INSTRUCTED TO ENFORCE THESE PROVISIONS OF THE LAW**

Please Post in a Conspicuous Place.

(Signed) E. F. Ladd,  
Commissioner.

The above posters can be furnished free of charge to dealers and others interested in having fresh eggs.

## GENERAL NOTICE

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July 29th, 1911.

Gentlemen:

The time has come when it is necessary for this Department to take decided action with regard to the sale of products containing Benzoate of Soda.

Manufacturers and wholesalers have, during the past six months, shipped into the state an unusually large amount of material containing the said preservative.

You are hereby warned that further notices will be considered unnecessary from this Department; and manufacturers, wholesalers and jobbers, who ship into the State, goods containing Benzoate of Soda, or other chemical preservatives, including Saccharin and Alum Compounds, will be treated as intentional violators of the law.

Retail dealers of the state are hereby, warned that if they receive and sell such goods, they, too, must expect from this date prosecutions under the provisions of the Statute that prevents the sale of products containing Benzoate of Soda or other preservatives.

This general letter is sent as a warning to all, and without regard to the previous character of the goods which may have been on sale in the state.

Yours very truly,

(Signed) E. F. LADD,  
Food Commissioner.

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### NORTH DAKOTA LARD LAW

#### A WARNING

Lard which is not put up in full size containers is illegal in North Dakota.

At the last session of the Legislature there was enacted a law, which went in force July first, substantially as follows:

“Every lot of lard or of lard compound or of lard substitute, unless sold in bulk, shall be put up in pails or other containers holding one (1), three (3), or five (5) pounds net weight, or some whole multiple of these numbers, and not any fractions thereof. If the container be found deficient in weight, additional lard, compound or substitute, shall be furnished to the purchaser to make up the legal. The face label shall show product, the address of the producer or jobber.”

This law applies not only to packers, jobbers and wholesalers, who are shipping lard into the state, but every butchershop or meat market, must, if they put up lard, conform with the requirements of this law. In other words they must sell lard full weight in 1, 3, 5, 10, etc. lb. containers or whole multiples of these numbers, and not in gross weight containers.



Dealers are notified that they must comply with the requirements of this Statute, and it is expected that steps will be taken immediately to have all lard, lard substitutes or compounds, etc., in conformity with the requirements of the State Law.

(Signed) E. F. LADD,  
Food Commissioner.

### BEVERAGE REGISTRATION

For the convenience of those who desire to make registration under the Beverage Law, the Department interpretes its provisions for fees as follows:

For the first annual registration of a brand of Whiskey, Rum or Brandy, etc. ....	\$150.00
For each additional brand .....	75.00
Each class of wine .....	25.00
Cider, as a class .....	10.00
Pops or sodas, as a class .....	10.00
Artificial ades, nectars, and other beverages, as a class .....	50.00

The interpretation place upon the term "class" for wines would give us the following classes to be registered at \$25.00 for each class:

- Class 1. Sweet Wines, including Port, Sherry, Angelica, Tokay, etc.
- Class 2. Red Wines, including Claret, Zinfandel, Burgundy, &c.
- Class 3. White Wines, including Hock, Riesling, Sauterne, &c.
- Class 4. Sparkling Wines, including Champagne, Sparkling Burgundy, etc.
- Class 5. Re-enforced Wines, including those to which notable quantities of alcohol or other reenforcing agents have been added
- Class 6. Unfermented Wines, including Grape Juice.

The Department interpretes the law to mean that when a brand of whiskey, brandy, rum or gin has been registered and the registration fee of \$150.00 paid, other brands (for the same year) in either of these groups may be registered at \$75.00. Compound whiskey, rum, brandy, etc. also imitation whiskey, rum, brandy, etc., as defined by the Statute, cannot be legally sold in North Dakota. It is held that false application for the registration of such products renders the party liable to penalties under Section 5. Failure to register any product to be offered for sale or distribution in the State of North Dakota renders the party liable to prosecution under Section 6.

The Department further holds that parties putting up beverages, that is, manufacturing from extracts, etc., whether for sale to other dealers or for retail business, are first manufacturers and, therefore, must register their products before the same can be legally sold.

(Signed) E. F. LADD,  
Commissioner.

### UNDRAWN POULTRY

The sale of undrawn poultry is held in direct violation of the Food Law of this state. The most conspicuous offenders are among the dealers in Fargo, some, but not all, of whom are not attempting to live up to the spirit of the Law, but finds means whereby they can as fully as possible evade the true purpose of the Statute.

The Law specifically says that a product is adulterated: "If it consists wholly or in part of a diseased, decomposed, filthy, putrid animal or vegetable substance." Who can say or who will attempt to defend that the contents of the intestine are not filthy, decomposed or putrid animal or vegetable substances

Dealers who persist in handling poultry in this way are not entitled to the trade and support of their community, but those who attempt to comply with the spirit of the Law and furnish clean, sanitary and pure products should receive the patronage of the public.

This may be considered as a serving final notice that this Department will contest the sale of this class of products.

(Signed) E. F. LADD,  
Food Commissioner.

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### HUTCHINSON STOPPERS—POP AND SODA BOTTLERS NOTICE

Two years ago this Department examined into the condition and use of the so-called Hutchinson stoppers for closing pop and soda bottles, and found that the same were to be classed as far from sanitary and often dangerous to health. We gave the users of this class of stoppers until January, 1912, to make the necessary changes, to dispose of those in use, and replace the same with others.

Bottlers will, therefore, take notice that on and after January 1st, 1912, the use of Hutchinson stoppers will be sufficient reason for classing the products in the state as illegal. We ask therefore, that steps be taken to dispose of all these stoppers on hand, and be in readiness to comply with the provisions of the Law, in accordance with the understanding of two years ago.

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### CREAM—DECOMPOSED AND FILTHY

We often come across cream, especially during the summer months, which is being shipped in a condition unfit for use and which would be classed as decomposed and filthy both under the State and National Laws. Such cream is gathered from shipping stations to be shipped out of the state, and parties so doing are laying themselves liable to prosecution under the National Food Law, and, at the same time, are making a shipment in direct violation of the Food Law of the State.

Shippers are, therefore, warned that during the year of 1912 particular attention will be given to the care of products which are shipped into or

out of the state, and cream will be included in this list of products. If there is violation of the Sanitary or Food Law of the state prosecutions will follow.

The Food Statute reads as follows as regards a product which is deemed to be adulterated within the meaning of the Statute:

If it consists wholly or in part of a diseased, decomposed, filthy, or putrid animal or vegetable substance, or if such substance or substances are used in the preparation thereof, or if it is the product of a diseased animal or one that has died otherwise than by slaughter.

(Signed) E. F. LADD,  
Commissioner.

### DISINFECTANTS AND STANDARDS FOR THE SAME

Disinfectants are included under the terms of the Drug Law of this state. There has been need of a definition of what shall be classed as a disinfectant and the Board of Health for Kansas has adopted a definition for disinfectants which will be accepted and used in the future for all articles that come upon the market represented as such, and in North Dakota will be expected and required to meet the qualifications stated in this definition.

DISINFECTANT.....An article or substance which is designated as "germicide" or "disinfectant" in the state of North Dakota will be held to be of such a character that it will actually kill any non-spore-bearing bacterium within six hours under the conditions prescribed for its use. If directions for use are not expressly stated, those conditions usually found in living rooms will be assumed for its application.

Within the meaning of this definition the terms "germicide" and "disinfectant" are used interchangeably to mean substances that actually destroy and not merely inhibit the growth of bacteria.

Until such a time as an official standard has been adopted the method outlined in the Bulletin of the Kansas State Board of Health for October, 1911, will be followed as a guide, and is as follows:

"The method of Anderson and McClintic, to which Mr. Puckner refers, may be very briefly referred to. It consist, first, of a standard culture of bacteria (*B. typhosus* or *B. coli*); second of several dilutions of phenol; and third, of several dilutions of the disinfectant to be examined for standardization. Several standard solutions of phenol are made as control solutions and a number of dilutions of the unknown disinfectant are also made. These are placed in sterile tubes and a quantity of bacterial culture added. These are tested at two and one-half minute intervals. The "phenol co-efficient" for the disinfectant of unknown strength is determined by dividing the weakest strength of the disinfectant that kills in two and one-half minutes by the weakest strength of the phenol that kills in two and one-half minutes. The same procedure is followed with the weakest strength that kills in each case in fifteen minutes, employing the disin-

fectant sample and the phenol. The two co-efficients thus obtained are added and the mean of these phenol co-efficients become the co-efficient of the sample under examination.

“For example: Using *B typhosus* (of a vigorous strain made by continuous transplanting) as a standard, a sample of the disinfectant shows that the weakest dilution that kills in two and one-half minutes is 1-1300. The weakest dilution of phenol that will do the same is 1-80. Dividing 1300 by 80, we get 16.25 as the co-efficient of the two and one-half minute sample. Then as a second experiment, the weakest solution of the sample of disinfectant that kills in fifteen minutes is found to be 1-1500. The weakest solution of phenol that will kill in the same time is 1-100. Then, 1500 divided by 100 gives 15. Now, adding 16.25 to the 15 we obtain 31.25, which divided by 2 gives 15.62 as a co-efficient for the sample of disinfectant.”



## DRUG AND PATENT MEDICINE LAW

The North Dakota Drug and Patent Medicine Law contains several features not found in the National Food and Drug Act. Under the State Law the literature which accompanies the container is taken into consideration and any false claims that are made or any design which shall deceive or tend to deceive makes the product in violation of the Statute. The Clause reads as follows:

“If it be falsely labeled in any respect with regard to its composition, properties, uses, or place of manufacture, or if it bear any design which shall deceive or tend to deceive.”

Thus, it will be clearly seen that in the literature accompanying the container, or any information which shall deceive or mislead, or make false claims, would bring the article under the terms of this statute. Our law includes all medicines for internal or external use, antiseptics, disinfectants, washes, perfumes and cosmetics. It likewise prohibits the sale of any product containing cocaine, this barring many of the catarrhal remedies, which have as their chief active ingredient cocaine or some of its salts. Methyl alcohol is likewise barred from the class of products mentioned including antiseptics, disinfectants, washes, perfumes and cosmetics. It is in the preparation of perfumes and cosmetics that methyl alcohol has quite frequently been used; also, in the preparation of hair tonics, in Florida waters, and like products.

Our Law also requires that products containing various ingredients such as alcohol, opium, heroin, chloroform, alpha or beta eucaine, morphine, cannabis indica, chloral hydrate, bromine, iodine, acetanilid, or croton oil, or any derivative or preparation of any such substances contained therein shall be plainly labeled in open Gothic letters to show the presence of these constituents and the amount thereof.

During the year a large number of preparations found in the drugstores of Pharmacopoeial strength have been examined and reports for these products will be found in this volume, as are also the reports of various patent medicines, proprietary products and like preparations. There has been a marked improvement in the strength of the drugs dispensed in the drugstores of the state approaching much more closely to the required standard of the U. S. P. With more stringent laws for prerequisite education preparatory to the practice of pharmacy we may expect further improvement in the preparation of these products until there will be little variation from a reasonable standard as officially prescribed.

During the year a large number of patent and proprietary products have been likewise examined and reported upon in Volume I of the Special Food bulletins. While some of these are essentially what they are represented to be, there are others which are fakes pure and simple. This is true of the majority of this class of products. I am prepared to affirm that, taking

the entire line of proprietary and patent medicines found upon the shelves of the average drugstore, seventy percent of them are fakes pure and simple, either in that they have no practical value whatever, or the claims made for them are so ridiculous and absurd, and beyond any possibility of their accomplishing what is claimed for them that their use is not justified. In this connection I quote from Dr. Wiley in the Journal of the American Pharmaceutical Association for January, 1912:

"The people are beginning to understand that they have been deceived by the false and sometimes criminal misleading claims of virtues which are wholly mythical. The many millions of dollars which during the last few years have been wasted on crude, imperfect and useless remedies may and will soon be saved to the public."

As an example we may mention a few of the products which have been under examination, and the results of which are to be found in bulletins from this Department. Let us consider Munyon's Kidney Cure, a product which on analysis reveals nothing but sugar, and yet the face label says: "Munyon's Homeopathic Home Remedies, cures Bright's Disease, Catarrh of the Bladder, Gravel, and all Urinary Troubles." It further says: "Munyon's Kidney Cure has no equal in disorders of the urinary organs. It cures pains in the back, loins or groins, puffy and flabby face, and dropsy of feet and limbs resulting from kidney disease."

Let us cull just a few extracts from one of the circulars sent out by this Munyon, that fake of so-called ethical doctors, whose medicines we have already shown to be 100 per cent of pure sugar. He says:

"I look upon pills in most cases as messengers of death. I believe that more people have been killed by pills than by bullets."

Further on in this four-page circular he says:

"My mission is to spread HOPEISM and TRUTH. HOPEISM was Christ's great doctrine. HOPEISM is all there is to life that is worth having. Take HOPE from the people and you have chaos and decay. Charge a person with HOPE and he will have very little use for medicine."

Then he goes on leading his reader or, rather, victim up to the final climax at the end of the circular when he says:

"Just for a quick test of all my assertions step into the nearest drug-store and get a bottle of Munyon's Paw Paw Pills. Take one to-night and you will bless me to-morrow."

How ridiculous, how contradictory, and yet this charlatan has deceived thousands of people and filched from them their hard-earned dollars through ingenious advertising which he has employed. But he is no worse than scores of others who have done likewise for it is a well-recognized fact that among the advertising literature that of patent medicines is often the most villanous and misleading, probably for the reason that the men who are back of these schemes are often ignorant except in their own particular line of business, know nothing of medicine, or pharmacy of pharmaceutical preparations. Often the preparations are put up for them in pharmaceutical houses with which they are not familiar. Not infrequently have products been put up by the office clerks, stenographers and others who may be employed to answer the correspondence of their victims.

Take Hydrocine which we have shown to be 98 per cent sugar, flavored with a little balsam and sold at five dollars per bottle. Take Green's Sarsaparilla which has as its chief agent formaldehyde as is likewise the case with Liquizone and Oxytonic. Again, take the so-called head-ache remedies containing habit-forming drugs and causing many deaths. In special bulletin No. 39 for December, 1911, page 463, I called attention to the death of an infant after nursing the mother who had taken one of these acetanilid head-ache wafers. Or, again, let us note the advertisement in almost any newspaper which we happen to take up, the reading notices of which contain formulas for all sorts of remedies something you can prepare in your own home by purchasing some simple ingredient at the drugstore. What are these products? One of these "Saxolite" is for the purpose of removing wrinkles, sagging cheeks, baggy chin; gives you the appearance of youth. Now, Saxolite is simply alum and Epsom salts perfumed. There is no question but what the use of this product will tend to tighten the skin for alum is an astringent, but shortly the skin loosens again and becomes more baggy than ever. Then you must use more Saxolite, and that is what the manufacturer wants.

Or, take Mercolized Wax to be used as you would cold cream to be applied at night and washed off in the morning; will give you a beautiful complexion; absorbs, as they say, the old skin. Its action is to destroy the surface skin which will fall away, but at the same time will produce havoc and a bad condition which can only be remedied by hiding the face beneath powder.

We might mention Spurmax for making the face lotion; nothing but Epsom salts colored and flavored, and sold for fifty cents per package. Or, again May-a-Tone and Epp-o-Tone and scores of other products to be used for face lotions or preparations only to destroy the complexion after a short time's use. Viavi belongs to the same category, including Viavi Capsules, Viavi Royal and other Viavi stufts with curative powers unlimited, if we listen to the claims of the makers. So far as our own investigation goes, or those of others which have been truthfully reported, nothing has been shown of value in these products except extract of hydrastis and cocoanut oil. Rather expensive at \$5.00 per container, but lots of profit to the manufacturer. The real value is from cleanliness and hygiene and not from any medicinal properties of these preparations.

Let us take Pink Pills for Pale People, another nostrum which probably owes its popularity to bold advertising and partly to the character of its name. These Pink Pills for Pale People, advertised for a variety of diseases, are found to have as their active constituents, green vitrol, potassium carbonate, powdered magnesia, powdered licorice and sugar.

Piso's Consumption Cure, now called "remedy," has as its chief constituents chloroform, hasheesh and cannabis indica. Take Bioplasm for locomotive ataxia and scores of other ailments; the product is a fake pure and simple. Mrs. Price's Walnut Juice for Hair Stain contains no walnut juice, but does contain a powerful chemical which has caused scores of deaths and at least one in North Dakota. Boschee's German Syrup contains morphine. Peruna, formerly a beverage low grade in character, but to

prevent its being classed as a beverage by the Internal Revenue Department, now made to contain enough extractive materials to remove it from the class of beverages, and yet the department classes it not one whit better than formerly. Pape's Cold Compound, claimed to be a harmless compound and which will cure your cold or end your grippe misery and that without any other assistance or bad after-effect. It is further claimed that the product is the result of three years research at a cost of \$50,000. They particularly call attention to the fact that it contains no quinine which they have conclusively demonstrated is not effective in the treatment of cold or grippe. It contains 13.1 per cent of acetanilid, 15.1 per cent of phenolphthalein and 64.2 of sucrose. Now, acetanilid is recognized as a harmful drug, a habit-forming ingredient of medicine, and, as already stated, in headache wafers has been the cause of a number of deaths. Beggs Cherry Cough Syrup is a compound composed of wild cherry, licorice, reducing sugars, alcohol and morphine. By no means is this a cure for the dread disease consumption, nor is it a cure for asthma, whooping cough, night-sweats, etc., as claimed. Dr. Bull's Celebrated Cough Syrup is claimed to effect a cure for incipient consumption, colds, pneumonia, etc. They say: "This is the right remedy, a good safe and sure one for that dangerous condition. It cures better and more quickly than any other remedy."

Again, they say:

"Beware of substitutes. The dealer who tries to substitute for Dr. Bull's Cough Syrup has a purpose in view. He wants to sell his cheaply-put-up mixture because of the larger profit it pays."

The principal constituents in this product are codin and alcohol. The product is by no means what it is represented to be, nor a cure for any of the troubles mentioned.

Take Sal-Vet for stock—a medicine which destroys worms, a reliable conditioner and tonic for sheep, hogs, horses and cattle. The product is 93.43 per cent common salt, a small amount of charcoal and minute quantities of iron sulfate, gentian, quassia and sulfur. Any other ingredients which may be present are so infinitesimal as not to be detected in the sample concerned. Five dollars per hundred is a pretty good price for cheap commercial salt, colored black with charcoal.

From a study of some of the patent medicines and an acquaintance with some of the men who are promoters of these, not necessarily all by any means, it would seem that they are men who have failed in every legitimate undertaking with which they have been connected, or have been far from a success and so turn their attention to the manufacture and sale of patent medicines, "dopes," and other preparations with which to defraud the public. What is needed at the present time more than anything else is a law requiring every person to register the medicines intended to be sold by non-registered pharmacists. Let the registration be made in each County of the state if need be. Let a low license be granted so long as the product is not in violation of our Drug and Beverage Laws or fraud and deception is being practiced, or exaggerated and unwarranted claims are being made with regard to any drug, patent medicine, preparation disinfectant, cosmetic, etc., intended for sale in the state. Then and not until then shall we be able



to rid our state and country at large of a class of preparations which are often a disgrace to the intelligence of our age.

Says Dr. Wiley in the Journal of the American Pharmaceutical Association:

"It is utterly unfair to the pharmacist to require him to undergo long years of preparation and pass the most rigid examination to practice his profession and then for him to meet at every point the unjust competition of Dr. Quack, who has never taken a degree or passed an examination. The most efficient control of the proprietary medicine trade directly to the public, would be to require every maker or vendor of these make-believes to pass a rigid examination for pharmacy and medicine in every locality where his wares are offered for sale, through the newspapers or otherwise."

I agree thoroughly with the foregoing but would extend it to include those patent medicines which are on the shelves of the drugstore, as well as those which are to be sold directly to the consumer. The time is not far distant when the druggist will refuse to display upon the shelves of his store a class of worthless preparations, products which are falsely labeled, deceptively described, either on the container or in the advertising literature, whether it be in the circulars or newspapers.

### FAKE DOCTORS

Not only are there many fake medicines on the market but there are many fake doctors who are plying their practice among the unwary by shrewd advertising in the press, by sending out what appears to be personal typewritten letters, which in reality are only circulars prepared and printed by the thousands with only here and there a word to be filled in on the typewriter and this usually by a clerk or stenographer who diagnoses your case without any information at all trustworthy as to your condition. Among such doctors may be mentioned Dr. Bertha C. Day of Fort Wayne, Ind., whose methods have been fully described in Special Bulletin No. 23, page 353, of this Department. Who is Dr. Bertha C. Day? The report referred to says that Dr. Bertha C. Day is the stool pigeon for one William F. Griffin in operating mail-order treatment for the disease of women. This Dr. Day advertises herself as follows

"I AM A WOMAN—A WIFE—A MOTHER—A SUCCESSFUL PHYSICIAN—SPECIALIZED IN DISEASES OF WOMEN. AS A WOMAN I HAVE SUFFERED AND KNOW HOW TO SYMPATHIZE WITH OTHER WOMEN WHO SUFFER. AS A PHYSICIAN I HAVE STUDIED THE PECULIAR AILMENTS OF WOMEN AND KNOW HOW TO CURE THEM. AS A SISTER I WANT TO HELP YOU—AND WILL HELP YOU **FREE.**"

Where did this Dr. Day gain such wide experience and through how many years has it extended? Dr. Day is reported to have graduated from the Detroit Homeopathic College in 1907, was licensed to practice in 1908, and chartered the corporation in 1908, the very year she received her license to practice medicine and at which time the above claim was made. Is it not remarkable that she should have such a vast experience as a mother, a wife,

a successful physician, a specialist in the diseases of women, and the practice of medicine? A quotation from the report of the Council of Pharmacy and Chemistry is as follows.

“Most Companies of this kind are organized and capitalized by shrewd and often unscrupulous business men. These companies are run solely and only for profit; the health or well-being of the victim who seeks their aid is a matter of indifference.”

This clearly shows the character of the business conducted by this stool pigeon under the name of Dr. Bertha C. Day, specialist in the diseases of women.

There are scores of like practitioners; and, as far as I know, the term “fake doctors” will apply to every cancer doctor who advertises in our family papers, every doctor who advertises a cure for consumption and every female specialist of the land those advertisements flood and offend in the pages of our family papers. In the majority of cases these concerns are owned and controlled by men who have no interest except to secure wealth, although they may have connected with them a man with the degree M. D. secured in some manner or who has been a failure in the practice of medicine or who by nature is a faker and resorts to this quack method of procedure.

#### THE FARMER'S GENERAL SERVICE COMPANY

There have been repeated requests for information with regard to the Farmer's General Service Company and their methods of doing business; whether the goods or products handled by them are in compliance with the laws of this state; and whether or not the firm is one that can be relied upon.

The Company makes great claims, offers strong inducements, and in theory could become a valuable aid as a farmers' organization when conducted strictly along the lines intended to benefit the farmer and to give him full value for money expended.

As a first step in looking over the catalog furnished by the Company, one notes at once the number of references, business houses. On writing these firms some of them state that they have had no business relation with this Company and so can furnish no information; others state that they have sold no goods direct to them, but that some of their goods have passed through jobbers into their hands; another firm states that of late they have required that all transactions be cash, and so it is with others. This does not give one the best impression at the start.

A number of samples of the products sold by the Farmers' General Service Company to the people of North Dakota were taken up, and I quote from our findings for some of these:

No. 8657—Labeled Ceylon Tea, Farmer's General Service Co., Minneapolis, Minn. Sold to Mrs. Herman Minchow, Beach, N. D. Our analysis of this product showed the same to consist almost entirely of tea stems with very few leaves present, and to this there had been added an extract of



catechu. Certainly, a product falsely labeled, not tea at all but tea stems to which has been added a foreign ingredient to give it the flavor and appearance of tea.

A sample of Refugee Beans, Wax, No. 8605, furnished by the Farmer's General Service Co., Minneapolis, to one of their patrons, was taken up and examined. The product was classed as illegal. It was labeled to contain from 20 to 22 ozs., while the actual weight was 19.63 ounces. In the first place it was short weight, and in the second place, the beans were partially decomposed and not of good quality. In other words, it was a low grade product.

A sample of White Cherries, Canned, Live Oak Brand, Laboratory No. 8603, sold by the Farmer's General Service Company to a party at Beach, N. D., was taken up and found to be labeled 31 to 34 ounces, actual weight 28.8 ounces. The cherries were of inferior quality, some of them decayed.

A sample of Canned Tomatoes. Seaside Brand, Lab. No. 8602, furnished by the same company, contained a large proportion of added water and did not come up even to the minimum standard for solids in tomatoes. The tomatoes were not whole but in small pieces. The product is, therefore, illegal for sale in this state.

The inspector also saw at one place a quantity of fish thrown out from a container that was purchased from the same Company, the party saying they were so rotten he could not use them.

In 1910 the Universal Stock Cabinet Company was doing business along similar lines in parts of North Dakota, but their goods were not found satisfactory nor in compliance with the Laws of this state. In 1911 the name of the firm seems to be changed to the Farmer's General Service Company; at least, some of the same officials are connected with this firm and some of the medicines put out in 1911 bear the label of the Universal Stock Cabinet Company. In looking over the catalog of the Company one is surprised to find that no street address is given. Now, a Company doing a general business for the benefit of the farmer would naturally be expected to state its street address so that parties would be able to call upon them when in the city. This strikes one as peculiar since they refer generally to the large staff employed to give assistance to the farmers in answering questions pertaining to veterinary medicine, agriculture, horticulture, stock growing, and, in fact, every conceivable line that the farmer may be interested in.

Let us examine the application as made by the farmer who is led to believe that he can make a trial of the medicines and utilize the advantages of the Company for a period of sixty days, providing, he complies with the simple requirements, or, as the application states:

"Providing, he has complied with all the conditions herein contained."  
Again, it says:

"If not complied with in detail, free trial offer expires at the time of such failure and the party becomes liable, as per application and note herein receipted for."

What are some of these sixty-day requirements? The party must write to the company twice each week, Wednesday and Saturday, during the trial period and send all such letters by registered mail; he must also study the books furnished in the premium cabinet. Again, at least once every thirty days during the trial period the party must consign to the Company some farm produce, some baled hay, some stock, and use at least four different kinds of medicines, tonics, etc. Now, if the party does not comply with these requirements in detail he forfeits his rights and the note for \$107.50 becomes payable. Who can comply with requirements of this kind? Who can go into town, get in a report and register the same twice each week, on Wednesdays and Saturdays, for a period of sixty days? Who would of necessity be likely to have need for four different types of medicines during sixty days? Who could send for sale the list of products required? It is absurd, preposterous and shows that it is intended to make null any attempt at the free trial. The note, when it was given, was negotiable. It reads in full as follows:

\$107.50

Beach, N. D., March 27, 1911.

On or before October 1, 1911 for value received I promise to pay to  
The Farmers General Service Company  
Minneapolis, Minn., U. S. A.,

or order the sum of One hundred and Seven ..... 50-100 Dollars  
at the First National Bank at Beach, State of North Dakota, with Interest  
before and after maturity at the rate of 10 per cent per annum until paid.

(Signed) \_\_\_\_\_

(Witness) \_\_\_\_\_

The elaborate Certificate signed by S. P. Lesliyoung as President of the Farmers General Service Company, giving to the farmer the benefits of this Company for a period of five years, states among other things:

- “1.—To receive advice through the Company's Veterinary Department.
- 2.—To receive full benefits of the Company's purchasing Department.
- 3.—To receive full benefit of the Company's Stock Department.
- 4.—To receive full benefit of the Company's Commercial Department.
- 5.—To receive full benefit of the Company's General Information Department.
- 6.—To receive full benefit of the Company's Employment Service Department.
- 7.—To receive full benefit of the Scientific Farming and Horticulture Department.

If the samples of food products examined and here reported upon represent fairly the class of material which this Company is furnishing to at least some of their patrons, then it is questionable if the service is of benefit to the consumer. Certainly, the goods are illegal.

This Company also furnishes stock foods, stock tonics, and egg foods, but they have not complied with the requirements of our State Law in that they have not registered these products for sale in the state of North Dakota, although the medicines and stock foods are sold in consideration in part of the note for \$107.50. Therefore, this Department maintains that